

Montana Department of Natural Resources and Conservation  
Water Resources Division  
Water Rights Bureau

**ENVIRONMENTAL ASSESSMENT**  
**For Routine Actions with Limited Environmental Impact**

**Part I. Proposed Action Description**

1. *Applicant/Contact name and address:* Steven and Bettina Patyk  
527 Conrad Point Rd.  
Lakeside, MT 59922
2. *Type of action:* Permit to Appropriate Water 76LJ 30052283
3. *Water source name:* Flathead Lake
4. *Location affected by project:* NW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, Section 20, Township 26N, Range 20W, Flathead County
5. *Narrative summary of the proposed project, purpose, action to be taken, and benefits:*

The Applicant proposes to divert water from the Flathead Lake, by means of a 1 HP electric pump, from April 15 through October 15 at 26 GPM up to 1.18 AF, from a point in the NWNWNE of Section 20, Township 26 north, Range 20 west, for lawn and garden irrigation use from April 15 through October 15. The Applicant proposes to irrigate 0.62 acres of lawn and garden. The place of use is generally located NWNWNE of Section 20, Township 26 north, Range 20 west. The place of use is generally located 1.5 miles southeast of Lakeside, Flathead County, MT. The DNRC shall issue a water use permit if an applicant proves the criteria in 85-2-311 MCA are met.

6. *Agencies consulted during preparation of the Environmental Assessment:  
(include agencies with overlapping jurisdiction)*

Montana Natural Resource Program ..... Species of Concern  
Montana DEQ..... MT Clean Water Act Information Center  
US Fish and Wildlife Service ..... Wetlands Mapper  
Natural Resource Conservation Service ..... Web Soil Survey

## **Part II. Environmental Review**

### **1. Environmental Impact Checklist:**

#### **PHYSICAL ENVIRONMENT**

##### **WATER QUANTITY, QUALITY AND DISTRIBUTION**

**Water quantity** - Assess whether the source of supply is identified as a chronically or periodically dewatered stream by DFWP. Assess whether the proposed use will worsen the already dewatered condition.

*Determination:* N/A.

**Water quality** - Assess whether the stream is listed as water quality impaired or threatened by DEQ, and whether the proposed project will affect water quality.

Flathead Lake is listed as a threatened water body for the uses of aquatic life. The use of 26 gpm up to 1.18 AF per year is not likely to increase the impairment of this source because the probable causes of impairment are mercury, nitrogen, phosphorus, polychlorinated biphenyls, and sedimentation/siltation.

*Determination:* No expected impact.

**Groundwater** - Assess if the proposed project impacts ground water quality or supply. If this is a groundwater appropriation, assess if it could impact adjacent surface water flows.

*Determination:* This appropriation is for surface water and therefore does not apply.

**DIVERSION WORKS** - Assess whether the means of diversion, construction and operation of the appropriation works of the proposed project will impact any of the following: channel impacts, flow modifications, barriers, riparian areas, dams, well construction.

The diversion works will consist of a 1 HP Franklin Model 25FA1P4 pump located in Flathead Lake. A 1.25 inch transmission main conveys water between 150 and 400 feet to various irrigation zones. The pump produces approximately 20 to 26 GPM with a minimum service pressure of 40 psi to the irrigation system with a total dynamic head range of 136 to 186 feet.

*Determination:* Installation of pump and distribution line will have slight impact on riparian area and shoreline habitat.

##### **UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES**

**Endangered and threatened species** - Assess whether the proposed project will impact any threatened or endangered fish, wildlife, plants or aquatic species or any "species of special concern," or create a barrier to the migration or movement of fish or wildlife. For groundwater,

*assess whether the proposed project, including impacts on adjacent surface flows, would impact any threatened or endangered species or “species of special concern.”*

The Montana Natural Heritage Program website was referenced to determine if there are any threatened or endangered fish, wildlife, plants or aquatic species or any “species of special concern” in vicinity of Township 26N and Range 20W, that could be impacted by the proposed project. The US Fish and Wildlife Service identified the threatened Bull Trout (*Salvelinus confluentus*). In addition the State of Montana, US Forest Service, and Bureau of Land Management identified the following species of special concern: Wolverine (*Gulo gulo*); Fisher (*Martes pennanti*); Cassin’s Finch (*Carpodacus cassinii*); Brown Creeper (*Certhia americana*); Black Turn (*Chilodactylus niger*); Evening Grosbeak (*Coccothraustes vespertina*); Pileated Woodpecker (*Dryocopus pileatus*); Westslope Cutthroat Trout (*Onchorhynchus clarkia lewisi*); Pygmy Whitefish (*Prosopium coulteri*).

*Determination:* This proposed project may have a slight impact on some of species listed above. The request flow rate of 26 gpm will slightly reduce water availability in Flathead Lake, however, given the normal hydrologic conditions of Flathead Lake this effect will be negligible. Land use patterns will not change as a result of this proposed appropriation.

**Wetlands** - *Consult and assess whether the apparent wetland is a functional wetland (according to COE definitions), and whether the wetland resource would be impacted.*

*Determination:* The proposed place of use is not within the boundaries of wetlands mapped by the national wetlands inventory program.

**Ponds** - *For ponds, consult and assess whether existing wildlife, waterfowl, or fisheries resources would be impacted.*

*Determination:* N/A

**GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE** - *Assess whether there will be degradation of soil quality, alteration of soil stability, or moisture content. Assess whether the soils are heavy in salts that could cause saline seep.*

The location of the proposed place of use encompass the soil type of Kingspoint-McMannamy complex. This soil type is non-saline, well drained and has a slope range of 8-30 percent.

*Determination:* No degradation of soils is expected.

**VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS** - *Assess impacts to existing vegetative cover. Assess whether the proposed project would result in the establishment or spread of noxious weeds.*

*Determination:* There will be no change in land-use characteristics associated with this application so there will be no significant impact.

**AIR QUALITY** - Assess whether there will be a deterioration of air quality or adverse effects on vegetation due to increased air pollutants.

*Determination:* No impact.

**HISTORICAL AND ARCHEOLOGICAL SITES** - Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project if it is on State or Federal Lands. If it is not on State or Federal Lands simply state NA-project not located on State or Federal Lands.

*Determination:* NA-project not located on state or federal lands.

**DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY** - Assess any other impacts on environmental resources of land, water and energy not already addressed.

*Determination:* None

## **HUMAN ENVIRONMENT**

**LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS** - Assess whether the proposed project is inconsistent with any locally adopted environmental plans and goals.

*Determination:* The project is consistent with planned land use.

**ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES** - Assess whether the proposed project will impact access to or the quality of recreational and wilderness activities.

*Determination:* There should be no significant impacts on recreational or wilderness activities from this proposed use.

**HUMAN HEALTH** - Assess whether the proposed project impacts on human health.

*Determination:* No impact.

**PRIVATE PROPERTY** - Assess whether there are any government regulatory impacts on private property rights.

Yes\_\_\_ No\_**X**\_\_ If yes, analyze any alternatives considered that could reduce, minimize, or eliminate the regulation of private property rights.

*Determination:* No impact.

**OTHER HUMAN ENVIRONMENTAL ISSUES** - For routine actions of limited environmental impact, the following may be addressed in a checklist fashion.

*Impacts on:*

- (a) Cultural uniqueness and diversity? No
- (b) Local and state tax base and tax revenues? No
- (c) Existing land uses? No
- (d) Quantity and distribution of employment? No
- (e) Distribution and density of population and housing? No
- (f) Demands for government services? No
- (g) Industrial and commercial activity? No
- (h) Utilities? No
- (i) Transportation? No
- (j) Safety? No
- (k) Other appropriate social and economic circumstances? No

**2. *Secondary and cumulative impacts on the physical environment and human population:***

Secondary Impacts: None

Cumulative Impacts: None

**3. *Describe any mitigation/stipulation measures:*** None

**4. *Description and analysis of reasonable alternatives to the proposed action, including the no action alternative, if an alternative is reasonably available and prudent to consider:***

The “no action” alternative to this proposed project will result in the landowner not having access to water for domestic purposes.

**PART III. Conclusion**

**1. *Preferred Alternative:*** As proposed

**2 *Comments and Responses:*** None

**3. Finding:**

Yes\_\_\_ No **X** Based on the significance criteria evaluated in this EA, is an EIS required?

*If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action:* No significant impacts have been identified; therefore, no EIS is necessary.

*Name of person(s) responsible for preparation of EA:*

*Name:* Tim Eichner

*Title:* Hydrologist/Water Resources Specialist

*Date:* May 24, 2012